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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

POLICY & PLANNING
BRANCH ROOM 5202

25 FEB 1993

IN REPLY REFER TO:

7330-7/1700A3

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MAR - 9 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Scotty Baesler
U.S. House of Representatives
Washington, D.C. 20515

Dear Dear Congressman Baesler:

This is in reply to your letter of February 8, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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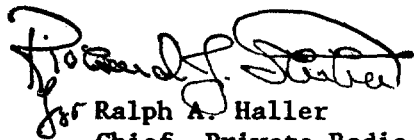
Honorable Scotty Baesler

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", with a stylized flourish at the end.

for Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

CNTL NO - 9300610

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

DFertig/RShiben:/rb/lm:PR

Congressional

DUE 0302-24-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/16/93

LETTER REPORT

| CONTROL NO. | DATE RECEIVED | DATE OF CORRESP | DATE DUE | DATE DUE OLA(857) |
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| 9300610 | 02/16/93 | 02/08/93 | 03/01/93 | |

| TITLE | MEMBERS NAME | REPLY FOR SIG OF |
|-------------|----------------|------------------|
| Congressman | Scotty Baesler | BC |

| CONSTITUENT'S NAME | SUBJECT |
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| several | inq. comments on PR Docket 92-235 |

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REMARKS:

THE ABOVE IS A
PRIVATE REPLY
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SCOTTY BAESLER
6TH DISTRICT, KENTUCKY

Congress of the United States
House of Representatives
Washington, DC 20515-1706

PRB
72-235
610

February 8, 1993

Ms. Donna Scarcy
Secretary
Federal Communications Commission
1919 M Street NW
Washington, DC, 20554

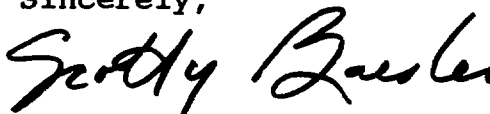
Dear Ms. Scarcy:

I am trying to accurately respond to several constituents who are writing my office concerned with a Federal Communications Commission proposal, PR Docket 92-235.

Please advise me about any information I could give them regarding this issue.

I have enclosed two letters as examples. Thank you for your time.

Sincerely,



Scotty Baesler
Member of Congress

SB/km

Enclosures (2)

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PHOTOGRAPHY

FEB 05 1993

January 29, 1993

The Honorable Scottie Baesler
U.S. House of Representatives
Washington, D.C. 20515

Dear Scottie,

As you will remember, we worked very hard together to get the new airfield at Masterson Station Park for the use of the Lexington Model Airplane Club. The club has grown since that time from 60 to 200 members. In the Central Ky. area, the number of flyers has increased to several thousand. This growth, in a large part, has been because of the wide range of frequencies made available by FCC to model flyers in 1988-89.

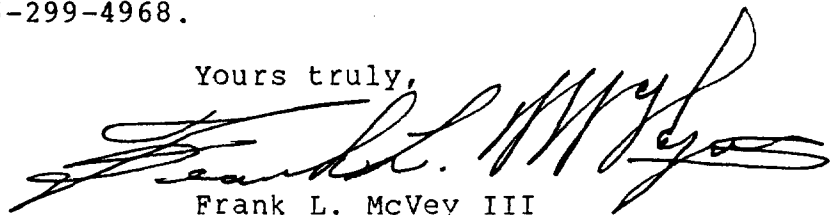
Now, buried in the rule change being considered by the FCC (PR Docket 92-235), we could lose what we've worked for for years.

The answer is---the FCC should pick other frequencies outside these ranges (72-76 MHz). Unused military, for example.

This rule change, if passed, will cost all of those involved in radio controlled model aviation the loss of equipment that cannot be used safely.

I hope that you will do what you can to help the 165,000 members of the Academy of Model Aeronautics plus the Sport Flyers Assoc., (membership of 40,000), members of the International Model Aircraft Association (25,000 members) and the thousands of unregistered flyers, maintain our safety standards. If you need any further information please feel free to contact me at 632 Shaftsbury Ct., Lexington, KY 40505 or 606-299-4968.

Yours truly,

A handwritten signature in black ink, appearing to read "Frank L. McVey III", written over a horizontal line.

Frank L. McVey III

flm/hem

-Kuen

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28 JAN 1993

THE HONORABLE SCOTTY BAESLER
U.S. HOUSE OF REPS.
WASHINGTON, DC. 20515

DEAR SCOTTY:

I BUILD & FLY MODEL RADIO CONTROL
AIRPLANES AND AM VERY CONCERNED ABOUT
PROPOSED FCC RULE CHANGES KNOWN AS
PR DOCKET 92-235.

I ENJOY MANY HOURS OF MODEL FLYING
AND FEEL THAT PASSAGE OF THE RULES AS
PROPOSED WILL POSE A SAFETY HAZARD
TO ME AND OTHERS IN THE AREA.

A PREPARED LETTER IS ATTACHED THAT
EXPANDS ON THE CHANGES AND MY CONCERNS.

I URGE YOU TO OPPOSE THESE CHANGES
IN THEIR PRESENT FORM.

SINCERELY

Bill Wornall
5059 COLBY ROAD
WINCHESTER, KY. 40391

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.